Case 1:18-cr-00526-AJN Document 255

ed)01707/20 Page 1 of 1

EURITONICA ENERI

Law Office of Adalgiza A. Núñez, LLC

24 Commerce Street, Suite 1825 Newark, New Jersey 07102

JAN 0 7 2020

Office: 973-936-8519 Fax: 973-241-5063

Email: nunez@adanunezlaw.com Website: www.adanunezlaw.com

January 7, 2019

FILED ELECTRONICALLY

Hon. Alison J. Nathan, U.S.D.J. Thurgood Marshall United States Courthouse 40 Foley Square New York, New York 10007 SO OF DEFED:

HON. ALSON J. NATHAN
UNITED STATES DISTRICT JUDGE

RE: Request for Adjournment of Sentencing United States v. Dorfi Montesino

Docket Number 1:18-cr-00526

Dear Judge Nathan,

Please accept this letter as a request for adjournment of the sentencing in the above referenced matter. The sentencing is currently scheduled for tomorrow, January 8, 2020, at 11 a.m.. This is the third request for adjournment of sentencing. The first and second requests were granted on October 28, 2019 and November 20, 2019.

The Government and the Defense were discussing the possibility of a safety valve proffer up until yesterday. Unfortunately, we could not reach a resolution and are still in disagreement regarding whether Mr. Montesino meets the truthfulness requirement of Title 18, United States Code, Section 3553(f). Therefore, by way of this letter we also ask the Court to schedule a Fatico Hearing.

The Government consents to this request. Please feel free to contact me at the above telephone number or email. Thank you for your consideration of this request.

Mr. Montesino's sentencing is adjourned *sine die*. A *Fatico* hearing is hereby scheduled for February 11, 2020 at 1 p.m. SO ORDERED.

Respectfully submitted,

Adalgiza A. Núñez, Esq.